

**ORDINANCE NO. 6 2 3 3**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF AUBURN, WASHINGTON, DECLARING PUBLIC USE  
AND NECESSITY REGARDING ACQUISITION OF  
PROPERTY TO PROVIDE ACCESS TO A FUTURE SITE  
FOR CITY-OWNED FACILITIES, AND AUTHORIZING  
CONDEMNATION**

WHEREAS, the City of Auburn owns property on which it intends to locate a future facility ("City Property"), identified as King County Tax Parcel No. 2521049114; and

WHEREAS, the City Property is landlocked and has no direct access to a public right-of-way; and

WHEREAS, the City owns a second property abutting "C" Street SW (King County Tax Parcel No. 2521049115), which is separated from the City Property by property owned by The Safeway Company, Inc.; and

WHEREAS, the City has made efforts to obtain a 1.2 acre portion of the Safeway property ("Safeway Parcel"), including having the property appraised and trying to negotiate a reasonable amount of compensation to be paid for the Safeway Parcel; and

WHEREAS, while on-going, those efforts have not been successful at this point in time in securing the acquisition of the Safeway Parcel; and

WHEREAS, although there may be interest by Safeway to work toward agreement whereby the City may acquire the Safeway Parcel, passage of this ordinance will allow the City to continue moving forward with the condemnation process while the negotiation process is pursued.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,  
WASHINGTON DO ORDAIN as follows:

Section 1. Declaration of Necessity. That the property identified herein is necessary for access to the City Property, and has a public use in connection with the use of the City Property as a public-owned facility.

Section 2. Authorization for Condemnation. That the Mayor and his designees are authorized to commence condemnation action to acquire the property being a portion of King County Tax Parcel No. 2521049096, as legally described and depicted in Exhibit "A," attached hereto and incorporated by reference.

Section 3. Authorization for Administrative Action. That the Mayor and/or designee(s) is/are further authorized to take such other action and/or implement such other administrative procedures as may be necessary to carry out the directives of this legislation.

Section 4. Compensation from Capital Projects Fund. That the compensation to be paid to the owners of the property to be acquired by the condemnation action shall be paid from the Capital Projects Fund of the City.

Section 5. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

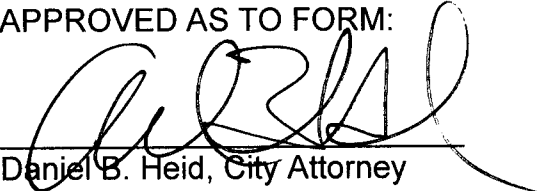
APPROVED: \_\_\_\_\_

\_\_\_\_\_  
PETER B. LEWIS, MAYOR

ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Daniel B. Heid, City Attorney

Published: \_\_\_\_\_

**Exhibit A**  
**LEGAL DESCRIPTION OF THE 1.2 ACRE SAFEWAY PARCEL**

That portion of the Northeast quarter of Section 25, Township 21 North, Range 4 East, Willamette Meridian, King County, Washington, more particularly described as follows;

The North 430 feet of Lot 1 of the City Of Auburn Lot Line Adjustment No. LLA02-0015, as recorded under recording no. 20020725001632, records of said county, as measured perpendicular to the most Northerly line of said Lot 1, said most Northerly line Bearing South 89° 12' 14" East, a distance of 57.79 feet.

